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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written statement submitted by Amnesty International, a non-governmental organization in consultative status category II

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[10 January 1992]

THE HUMAN RIGHTS SITUATION IN IRAN

1. During 1991 serious human rights abuses, including mass executions, arbitrary political arrests, unfair trials and torture continued unabated in Iran. Amnesty International recorded more than 750 executions, the majority of which, according to Iranian press reports, were for criminal offences, especially drug trafficking. Other sources reported approximately 50 executions for political reasons.

2. In October 1991, Amnesty International received reports of the public execution of more than 20 members of a Baluchi tribe in Zehedan, shortly after their arrest. Other political prisoners reported to have been executed during the year included members of the Kurdish Democratic Party of Iran and the People's Mojahedin Organization of Iran. Amnesty International campaigned throughout the year for an end to executions in Iran, expressing particular concern about the very large number of executions and the lack of basic safeguards for defendants facing charges punishable by death.

3. Hundreds of political prisoners, including prisoners of conscience, remained in prison and hundreds more were arrested and detained following mass demonstrations and civil unrest during 1991. Some were held without charge or trial. Others were sentenced to prison terms after unfair trials held in camera in the absence of defence lawyers.

4. Amnesty International welcomed the release of dozens of political prisoners and prisoners of conscience but regrets that many were released only after being made to give video-recorded interviews or signed statements condemning their previous political activities and pledging support for the Islamic Republic. There were continuing fears that prisoners were subjected to physical and psychological coercion to do so. In addition, a relative was required to stand as guarantor for the former prisoner, he or she becoming liable for arrest if the former prisoner should fail to present him or herself on request to the security authorities. As in previous years, the practice of holding relatives as "substitute" prisoners continued during 1991.

5. Nine signatories to an open letter addressed to President Rafsanjani who were arrested in June 1990 were tried in 1991. The letter, signed by 90 people, called for implementation of constitutional guarantees, freedom and justice, and criticized the Government's handling of the economy. Many of the detainees were members of the Association for the Defence of Freedom and Sovereignty of the Iranian Nation (ADFSIN), and some had served in the government of Mehdi Bazargan, the first Prime Minister of the Islamic Republic of Iran.

6. The nine who were tried and sentenced to prison terms were: Hashem Sabbaghian, who was sentenced to six months' imprisonment; Mohammad Tavassoli Hojati and Abdolali Bazargan, who were each sentenced to two years' imprisonment; and Ali Ardalan, Nezameddin Movahed, Dr. Habitollah Davaren, Khosrow Mansourian, Abolfazl Mir Shams Shahshahani and Akbar Zarinenhbaf, who were also given three-year prison sentences. In addition to prison terms, the nine men were sentenced up to 30 lashes, which, in January 1992, had reportedly not yet been inflicted.

7. Reliable reports indicated that the defendants were tried in camera, inside Evin prison, and in the absence of any defence counsel in spite of their requests for legal assistance. Their sentences began from the date of pronouncement of judgement, so the period of pre-trial detention of more than one year was not taken into account. Ali Ardalan and Nezameddin Movahed, both former civil servants in their mid-seventies, were reportedly in very poor health, and were hospitalized for urgent medical treatment in September and November respectively. Amnesty International welcomed official assurances that Ali Ardalan's sentence had been suspended in November 1991, but continued to urge the immediate and unconditional release of the nine men.

8. The nine prisoners appealed to the High Court against their sentences, but their appeal was rejected and in some cases new charges were apparently added. All proceedings took place in their absence and again they had no access to lawyers. Amnesty International repeatedly proposed to send an observer to the trial and to the appeal, but received no response from the Iranian authorities regarding this proposal or its repeated requests for direct talks with the Iranian authorities.

9. According to official sources, a law was promulgated at the end of September 1991 which provided for detainees to be assisted by a lawyer for their defence. Amnesty International has for many years urged that this basic right be implemented, but knows of no cases where political prisoners were given access to defence counsel during 1991, nor in previous years.

10. Throughout the year there were reports of women being arrested for allegedly failing to conform with the dress laws of the Islamic Republic of Iran. The punishment laid down for infringing the dress code is flogging. There were fears that some of those arrested may have infringed the dress code for reasons of conscience, as a non-violent expression of their beliefs.

11. Amnesty International remains concerned that individuals are still being imprisoned on account of their religious beliefs. Mehdi Dibaj, who converted to Christianity many years ago, continued to be imprisoned. He has now been held for more than five years. A number of the Baha'i faith also continue to be held.

12. Amnesty International has continued to receive reports of torture and ill-treatment of political prisoners in Iran. Some political prisoners were released in 1991 and were interviewed by Amnesty International. They still bear physical and mental scars of their treatment, and in recounting details of their own suffering have also informed the organization of a number of political prisoners who committed suicide in prison as a result of their treatment. Others have reportedly committed suicide after their release from prison. Common methods of physical torture include suspension for long periods in contorted positions, burns from cigarettes and, most frequently, severe and repeated beating with cables or other instruments on the back and the soles of the feet. Although Iran is a State party to the International Covenant on Civil and Political Rights, which forbids the use of torture, it has failed to introduce minimum safeguards to prevent torture, including allowing prisoners regular access to relatives, lawyers and doctors, ensuring such complaints are properly investigated and bringing perpetrators to justice.

13. Amnesty International welcomed the decision by the Iranian authorities to grant access to the United Nations Special Representative to visit Iran for the third time. It also welcomes the decision to allow the International Committee of the Red Cross access to prisons and prisoners in Iran. However, these apparent signs of improvement belie the continuing gravity of the human rights situation in the country as does the failure of the authorities to implement the recommendations of the Special Representative. Prisoners are still held years after the expiry of their prison sentences. The most basic safeguards for fair trial such as access of prisoners to legal counsel, their right to be tried without undue delay, to bring witnesses on their behalf, and the presumption of innocence, are all still lacking. Finally, the death penalty continues to be implemented on a massive scale.

14. With the continued violation of human rights in Iran, Amnesty International urges the Commission on Human Rights to maintain its scrutiny of the situation in Iran.

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